

**Judith Zaffirini**

---

**From:** Harold Cook <hc@haroldcook.com>  
**Sent:** Wednesday, April 29, 2009 11:24 AM  
**To:** Harold Cook  
**Subject:** DEM CAUCUS: SB 1784 ALERT

**Importance:** High

**Expires:** Monday, October 26, 2009 12:00 AM

SB 1784 is a bill requiring that an applicant for a driver's license or other state identification document or prove his or her federal immigration status. The bill is on intent, eligible tomorrow (4/30).

**Coupled with the threat of Texas having a voter ID law on the books, SB 1734, if passed, would make it that much more difficult to get an I.D. for the at-risk population whose voting rights would be curtailed by a voter ID law. To the list of things those voters would have to gather together to take to DPS in order to get ID to vote, add to that their proof of citizenship.**

The bill was voted out of the Transportation Committee on a straight party line vote, with 3 Democrats voting against (the other Democrat was absent that day).

Not a single person testified in favor of the bill. Meanwhile, the **ACLU**, **MALDEF**, the Texas chapter of the **American Immigration Lawyers Association**, and the **Texas Criminal Justice Coalition** all testified against it.

**This legislation may well have immigration policy implications which are harmful to Texans, but even with that aside, the voter I.D. implications alone merit a strong "no" vote on suspension for this legislation.**

Here's what Senator Shapleigh has to say, which I think is exactly on point:

Dear colleagues,

I write to urge you to stand with me in opposing SB 1784 (Carona) -- a bill that contravenes some of our most deeply cherished Democratic values. This bill not only vastly expands DPS' role with respect to immigration enforcement, it also lays the groundwork for the next stage of the debate on Voter ID. I urge you to prevent this bill from coming to the Senate floor.

While Secretary Napolitano and the U.S. Congress are on the verge of repealing the impending requirement that states verify citizenship and immigration status of driver's license applicants under the Real ID Act of 2005 (due to serious civil rights, privacy, and fiscal implications), SB 1784 would thrust DPS precipitously onto this dubious terrain. The bill seeks to codify parts of controversial rule TAC 15.171, adopted by the Public Safety Commission (PSC) last year, that requires DPS to verify citizenship and immigration status before issuing a Texas driver's license or identification card and creates a new validity period for driver's licenses for certain lawfully present immigrants in Texas.

On April 9, the 419th District Court issued a temporary injunction against further implementation of the new rule due to the harm caused to Texas residents granted lawful admission to this country and to the fact that DPS lacked the statutory authority to deny drivers' licenses to lawfully present persons.

If SB 1784 passes, we will have provided DPS with the statutory authority to determine and verify U.S. citizenship (despite its irrelevance to eligibility for a Texas driver's license), and we are one step closer to even stricter and more suppressive voter identification and registration regimes. Elderly and minority Texans are already experiencing significant barriers in obtaining drivers' licenses under the new rules. How many more will be turned away from the polls not only with a new Voter ID law, but with additional restrictions on obtaining a Texas driver's license or ID?

Voter ID has already been forced upon us once, without a shred of evidence of its need or urgency. We must not allow yet another discriminatory measure, yet another unnecessary hardship, yet another incremental denial of the rights of poor, elderly, and minority Texans.

SB 1784 also continues the assault against law-abiding immigrants in Texas. Without an affirmative prohibition against DPS issuing vertical licenses to lawfully present immigrants, a provision explicitly asked for but excluded from SB 1784, Senate Democrats will give their tacit approval to DPS policy that brands immigrants and makes them vulnerable to greater discrimination and profiling. SB 1784 is founded upon the premise that immigrants are guilty until proven innocent, and thus deserving of special surveillance by DPS.

We cannot allow Republicans to further erode rights, to further deny privileges, and to brand as suspect and inferior, those that bless and enrich our society. Driver's licenses are based on ability to drive and safety to others, not immigration status.

Please oppose a motion to suspend the rules to bring SB 1784 to the Senate floor.